

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42308 of 2024

Arising Out of PS. Case No.-728 Year-2023 Thana- MANER District- Patna

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SATENDRA KUMAR S/O ANIL KUMAR @ ANIL RAI R/O VILLAGE-
DAUDPUR BAGICHA, P.S- SHAHPUR, DISTT.- PATNA (BIHAR).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. Sarita Kumari wife of Mantu Rai aged about 25 years Resident of Shahpur
Thakurbadi, P.S. Shahpur, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramhansh Kumar Puri, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 31-01-2025 Heard learned counsel for the petitioners as well as

learned APP for the State.

2. In this case, the petitioners are seeking regular bail
in connection with Maner P.S. Case No. 728 of 2023 registered
for the offences punishable under Sections 376(D) and 120B of the
IPC.

3. As per allegation, when the informant was
returning from market, co-accused Saroj Kumar intercepted his
way and snatched her mobile. On protest, Saroj Kumar threatened
her to kill. Further, the accused persons got her unconscious and
took away her to Chhitnawan river where the petitioner along with
other accused persons committed rape upon her.

4. The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case. The
victim, neither in her statement recorded under Section 164 of the



Cr.P.C. nor in her deposition during the trial, has named the present petitioner.

5. On the other hand, the learned APP for the State Sri Shailendra Kumar though opposed the prayer for bail but fairly admitted that neither the name of this petitioner has figured in statement under Section 164 of the Cr.P.C. nor in deposition of the victim during the trial.

6. The xerox copy of deposition of the victim has been annexed in the supplementary affidavit which shows that the victim though named other accused persons but didn't name the present petitioner.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 728 of 2023, subject to the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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